

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

In re EVERGREEN ULTRA SHORT)	Master File No. 1:08-cv-11064-NMG
OPPORTUNITIES FUND SECURITIES)	
LITIGATION)	<u>CLASS ACTION</u>
)	

This Document Relates To:)	
)	
ALL ACTIONS.)	
)	

**LEAD PLAINTIFFS' MOTION FOR (1) FINAL APPROVAL OF SETTLEMENT
AND PLAN OF ALLOCATION OF SETTLEMENT PROCEEDS AND (2) AWARD OF
ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

Court-appointed Lead Plaintiffs and Class Representatives International Brotherhood of Electrical Workers Local 98, NECA Electrical Workers Joint Apprenticeship Training Trust Fund, First Agency Account LP, Bricklayers and Allied Craftworkers Local 1 of PA/DE Health and Welfare Fund, and the Bricklayers Local 54 of Pennsylvania Supplemental Welfare Fund (collectively, "Lead Plaintiffs"), by and through undersigned counsel, hereby move the Court for orders and/or judgments: (1) finally approving the Settlement of the Litigation and dismissing it against Defendants with prejudice; (2) approving the Plan of Allocation of the Settlement Proceeds; and (3) awarding Lead Counsel attorneys' fees of 30% of the Settlement Fund plus expenses, plus interest on both amounts, and an award to Lead Plaintiffs for their expenses and to compensate them for the time they devoted to representing the Class and prosecuting this Action. Lead Plaintiffs' motion is based upon the Memorandum of Law in Support of Final Approval of Settlement and Plan of Allocation of Settlement Proceeds; Memorandum of Law in Support of Award of Attorneys' Fees and Reimbursement and Expenses; the declarations filed in support thereof; the Stipulation of Settlement dated as of June 27, 2012; all other pleadings and matters of record; and such additional argument as may be presented at the hearing on Lead Plaintiffs' motion.

DATED: October 22, 2012

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s/JACK REISE

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 22, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a Notice of Electronic Filing to all counsel of record.

s/JACK REISE